

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

BRETT WARREN DANCE,

*Plaintiff,*

V.

SHELBY COUNTY, TEXAS, SHERIFF  
WILLIS BLACKWELL, KEVIN  
WINDHAM, RICHARD SIMS, and  
JOHN DOE JAILERS,

*Defendants.*


Case No. 2:20-cv-00273-JRG-RSP

## ORDER

Defendants Sheriff Willis Blackwell, Kevin Windham, Richard Sims, John Doe Jailers, and Don Moore ("Individual Defendants") previously filed a Motion for Summary Judgment (Dkt. No. 38.) The Individual Defendants and Shelby County, Texas previously a Motion to Dismiss and Rule 12(e) Motion for a More Definite Statement (Dkt. No. 34.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 53), recommending grant of the Motion for Summary Judgment and denial of the Motion to Dismiss and Rule 12(e) Motion for a More Definite Statement. Because no objections have been filed and because of the reasons set forth in the Report and Recommendation, the Recommendation is **ADOPTED**.

It is therefore **ORDERED** that the Motion for Summary Judgment (Dkt. No. 38) is **GRANTED** and Motion to Dismiss and Rule 12(e) Motion for a More Definite Statement (Dkt. No. 34) is **DENIED**. All claims against all Defendants other than Shelby County are dismissed with prejudice.

**So ORDERED and SIGNED this 28th day of March, 2022.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE